



**Environmental  
Planning  
Commission**

**Agenda Number: 6**  
**Project Number: 1007867**  
**Case Numbers: 09EPC-40042/40043**  
**September 17, 2009**

**Supplemental Staff Report**

<b>Agent</b>	Bohannon Huston, Inc.
<b>Applicant</b>	Sandia Foundation
<b>Request(s)</b>	<b>Site Development Plan for Subdivision</b> <b>Site Development Plan for Building Permit</b>
<b>Legal Description</b>	a tract in the E1/2 SE1/4 NE1/4 Sec. 35 T11N R3E
<b>Location</b>	San Mateo Blvd. NE between McLeod Rd. & Lincoln Rd.
<b>Size</b>	Approximately 6.2 acres
<b>Existing Zoning</b>	C-3 (SC)
<b>Proposed Zoning</b>	same

**Staff Recommendation**

**APPROVAL of 09EPC 40042 (SDPS), based on the Findings beginning on Page 11 and the Conditions of Approval beginning on Page 13.**

**APPROVAL of 09EPC 40043 (SDPBP), based on the Findings beginning on Page 17 and the Conditions of Approval beginning on Page 19.**

**Staff Planner**

**Carol Toffaleti, Planner**

**Summary of Analysis**

The dual request is for an unplatted tract of approximately 6.2 acres zoned C-3 (SC), located on San Mateo Blvd. NE between McLeod and Lincoln Rd. The applicant presented information on parking demand at the August hearing, but the cases were deferred for 30 days. The site development plan (SDP) for subdivision splits the former nursery site into 3 tracts and includes design standards. In the SDP for building permit, the developer of Tract A proposes a sit-down restaurant with seating for 500, shared parking on Tract C and secondary access through Tract B. The applicant requests delegation of future SDPs for building permit for Tracts B and C to the DRB.

The site is in the Established Urban Area of the Comprehensive Plan and adjacent to an Enhanced Transit Corridor. The request furthers a preponderance of applicable goals and policies of the Comprehensive Plan. The design standards will provide an adequate framework for future development on tracts B and C, with further changes as recommended in conditions. The restaurant on Tract A is an appropriate use in this location and the design meets a preponderance of applicable standards, regulations and policies. With recommended changes, it can be brought into full compliance.

There is no known opposition to the dual request.

This report should be read in conjunction with the report dated August 20, 2009 (see att.)

## **UPDATE**

At the August 20th EPC hearing, the applicant presented some information on parking demand for the restaurant development proposed on Tract A of the subject site, but the cases were deferred for 30 days without being heard. The EPC directed the applicant to address deficiencies outlined in the August staff report and to further justify the proposed parking for the restaurant development in relation to the City's planning goals and policies. The applicant submitted a revised packet dated 8/31/2009 consisting of a letter and the site development plans for subdivision and building permit.

## **ANALYSIS OF SITE DEVELOPMENT PLAN FOR SUBDIVISION**

### ***Site Plan Layout / Configuration***

Changes to Sheet 1 are indicated in "clouds". Note 5 appears to require a FAR between 0.5 to 1.5, based on the policy for Enhanced Transit Corridors (see Comprehensive Plan policy II.D.4.a). The applicant has since informed staff that it was not intended to be mandatory. Staff considers this acceptable in a C-3 zone, where the proposed FAR on Tract A is only 0.13. To avoid confusion in the future, staff recommends that Note 7 also refer to general zoning regulations and include the text "whichever is more restrictive".

Since there are no end-users for Tracts B and C at this time, the site could be split initially into two lots, Tract A and the remainder of the 6.2 acres, with any future lot split delegated to the DRB, as stated in a finding.

The base map for the development on Tract A needs updating to correspond to the SDP for Building Permit.

### ***Access and Circulation***

The dimensions of the San Mateo Blvd. ROW adjacent to the site should be verified by the applicant prior to DRB sign-off, since the AGIS system indicates that it narrows from North to South, which could constrain the site and landscape design along the street frontage.

The northern drive is right-in/right-out; and the southern drive provides full access due to a break in the median and a left-hand turn lane on San Mateo. Staff questions whether the straight arrow shown at this drive is appropriate, since it suggests that motorists could safely cross six moving lanes of traffic.

Note that the closest traffic lights on San Mateo, which allows safe pedestrian crossings from the east side of the boulevard, are at McLeod and Osuna. Respectively, these are at a distance of approximately 425 ft and 1,425 ft from the site.

### ***Design Standards***

The applicant addressed many of the comments in the August staff report. However, staff would like to raise some issues for the EPC's consideration and recommends changes to "clean up" and tighten the standards. The main issues are highlighted **in bold**.

General comments:

- For clarity, the word "site" should be reserved to refer to the 6.2 acre site only and "parcel" or "tracts" should be used to refer to the lots created by the subdivision.
- Typographical errors should be corrected.

Zoning and Land Use:

- **The number of drive-up service windows** should be limited to one on the site, both for technical and policy reasons. Based on the proposed lot splits and the restaurant development on Tract A, there is relatively limited space to accommodate drive-thru lanes in addition to the basic vehicular and pedestrian circulation proposed between tracts and to the rear of the site, especially if any of the end-users for Tracts B and/or C generate significant truck traffic. Secondly, the Enhanced Transit Corridor policy encourages higher employment density (minimum FAR of 0.5) and transit ridership. Neither of these policy objectives would be promoted by uses with drive-up service windows.

Setbacks and building heights

- Staff recommends that the FAR target for sites in Enhanced Transit Corridors be included in this section, and the title reworded accordingly.

Site Objectives

- The introductory paragraph focuses on access and connectivity, but the objectives listed in the section cover other aspects of development. The objectives are also worded as standards, i.e. they use "shall". Staff believes that standards are more useful and that the title of the section should be changed accordingly, e.g. to "Site Design Standards". The last sentence should be deleted as it is too vague.
- 1-A should refer to "development" not "sites" and the zoning reference is incorrect.
- 1-B should apply to service functions as well as drive-up service window(s).
- In 1-D, the last phrase is vague. It should either be deleted or specify what variations would be acceptable for development on tract C and under what conditions.
- The text of 1-E is incomplete (words are missing) and is confusing. The uses should perhaps make specific reference to tracts A, B and/or C.

Parking and Circulation Standards

- The last sentence in the introduction can be deleted, since it duplicates 2-E.
- The wording of 2-A is confusing. "Minimum required" should be replaced with "provided". The second sentence can be deleted because shared parking is the focus of 2-C. Staff recommends that total parking on the site be limited to required parking plus 10%, if the site development plan for Golden Corral on tract A (09EPC-40043) is not approved.
- 2-B Cross access - Replace "desirable and encouraged" with "required". (See Transportation condition c.).
- 2-C Shared parking - In the first sentence, replace "allowed" with "encouraged, and required if tract A is developed as a Golden Corral restaurant per 09EPC-40043". In the second sentence, replace "and provided...services" with "approved by Code Enforcement prior to DRB sign-off". Note that a shared parking agreement is normally used to authorize a

*reduction* in the total number of required spaces. In this case, it is being used to formalize parking *in excess* of requirements that cannot be accommodated on one tract. However, it will be useful in the future to evaluate whether the land uses and the parking proposed for developments on tracts B and C meet minimum requirements of the zoning code.

Note that the EPC does not have discretion to reduce the parking *below* the amount required by zoning regulations on a site with straight zoning and subject to the SC regulations, but it can set limits on the *maximum* parking provided on the site. 2-D refers to a contractual agreement with Golden Corral, the developer/owner for the proposed restaurant use on tract A. If the site development plan for the restaurant is approved, the applicant would prohibit specific parking-intensive land uses on the other tracts.

#### Pedestrian circulation and bicycle standards

- The introduction should clarify that sidewalks are not just integral to each parcel but are connected across the site.
- 3-A Pedestrian connections – delete “and streets” or qualify the term by adding “internal” to avoid confusion.
- 3-D – again add “internal” before “streets” to avoid confusion.
- 3-G Pedestrian features – The standard should require compliance with all the general building and site design regulations that are applicable, i.e. 14-16-3-18 (C)(1 - 3). Staff recommends deleting the phrase “to the extent feasible ... site conditions” to strengthen the standard. All the bullet points should be deleted as well, because they duplicate the regulations or summarize the requirements to the point of weakening them.

#### Landscaping standards

- The introduction should also encourage xeric plants. The third sentence about compliance with the Zoning Code should stipulate “at minimum”.
- 4-A - Buffers should also be located around the perimeter of the site. The second sentence should be deleted as it duplicates 4-C. In the third sentence, per the Water Utility Authority, “over” should be replaced with “within 10 ft of public...”
- In 4-C, the second sentence concerning trees should begin “Street and...”
- 4-F and 4-G can be deleted as they repeat basic zoning regulations.
- In 4-L, the full title of the ordinance should be used, i.e. the “Water Conservation Landscaping and Water Waste Ordinance”.
- In 4-M staff recommends that native seed mix be the preferred method to stabilize disturbed areas awaiting future development, as it is likely to be more attractive and sustainable than other methods.

#### Architectural standards

- 5-A can be deleted as it seems superfluous.
- In the last sentence of 5-B, the reference to the Zoning Code should be a separate sentence and more general, such as “Building design shall comply at minimum with 14-16-3-18 (D) of the Zoning Code”.

- In 5-H **coordination between the parcels should be strengthened** by inserting “roofing, style and” after “building colors”. The last two sentences are not clear. If “hues” replaced “shades” in the first sentence, they would make more sense in staff’s estimation.

#### Screening Walls and Fencing standards

- Title - Staff recommends that a comma be inserted after “Screening” because the section includes the use of landscaping, not just walls and fencing.
- The sentence in the introduction beginning “Site orientation...” can be deleted because it is about site design, not screening, and would be covered under 1-B, if amended per staff’s recommendation. The rest of the paragraph should be reworded to improve clarity and eliminate duplication.
- 6-A, concerning screening of parking areas, should specify “evergreen” plant materials as one option.
- In 6-G Loading, delivery and storage areas, the text beginning “oriented away...” should be replaced with “screened from public areas on the site by evergreen plant materials, walls or fences”. Their orientation would be covered under 1-B, as amended.

#### Signage Standards

- 8-B – The standard should also refer to area lighting regulations.
- 8-C Free-standing signs – Staff recommends that the text in standard 8-M about multiple-tenant signage be moved to 8-C. 8-C should include an additional bullet point **limiting the number of businesses listed on the sign**. Based on the size and number of tracts in the subdivision, legibility from a street posted for 40 mph and the sign proposed on tract A (see SDP for BP below), staff suggests: a maximum of 3 businesses, if the sign does not include an electronic display panel; and a maximum of 6, if the sign includes an electronic display panel.
- Standards 8-E and 8-L should come after 8-C as they also focus on types of signs.
- 8-E Wall signs - The Zoning Code defines several types of signs in the category of building-mounted signs, in addition to wall signs: canopy, marquee, projecting and roof (see 14-16-1-5 att.). For clarity, staff recommends that these other types be prohibited or limited in number and size, e.g. “one canopy sign per entrance, maximum 4 sf per sign face area”. (Note: this number of canopy signs is allowed under the C-2 regulations.) While the limit of one wall sign per 50’ of façade length is commendable, staff considers that 8% rather than 12% is a more desirable **limit for percentage of sign face area per façade**. This is an Enhanced Transit Corridor where Community Identity and Urban Design policy calls for “useful and attractive signage and building facades”. While 10 to 15% would be allowed under the C-2 regulations, note 6% is the typical limit placed on SC or SU-1 commercial sites by the EPC in recent years. Staff would also recommend **restricting wall signs to facades visible from San Mateo Blvd or from public areas within the site**.
- 8-F – Staff recommends that this standard also prohibit pennants, ribbons, streamers and spinners.
- 8-K – Staff recommends that neon lighting be allowed, but not necessarily encouraged.

- 8-L – Staff recommends that more **limits** be placed **on the use of electronic display panels**, i.e. that it should be restricted to being part of the free-standing sign, and to 33% of its total sign face area. The text of the standard would have to be reworded accordingly.

#### Mechanical Equipment Standards

- 9-B – The top of roof-top equipment should be below the top of parapet “and”, not “or”, screened from view, per the intent of general building and site design regulations.

Staff recommends conditions to address the bullet points. If the standards are clarified and strengthened, staff finds that delegation of site development plans for tracts B and C would be acceptable.

If the EPC does not approve the request for delegation to DRB, the following elements of the packet would need to be amended:

- Project Note 2 – Delete all text after “...at a future date.”
- 10. Proposed Approval Process – Replace “delegated....approval” with “reviewed and approved by the EPC”.

#### ***Conceptual Utility and Grading & Drainage Plans***

The utility plan contains fairly minor errors, in terms of lot lines and typos, that need correcting. It should include the existing public utility easements along San Mateo Blvd.

The grading & drainage plan provides useful information on interim measures for drainage and control of water erosion and dust on tracts B and C. However, staff did not find spot elevations of the existing contours. The grading & drainage plan submitted for the restaurant development on tract A indicates that the majority of the site will be raised around 7 ft to match the grade of San Mateo. Similar information should be provided in the SDP for Subdivision.

The plan indicates that the main outfall is at the west boundary of the site and into an existing concrete lined drainage swale. A similar swale exists along the north boundary of the site. Staff questions whether the location of the outfall at the southwest corner of the parking area the site is correct, because it does not correspond to the 8' curb cut shown on the site plan for the restaurant development.

Many of the landscaped beds within the parking area are shown as depressed, which accords with the design standard that requires water harvesting measures.

Overall, staff considers that the SDP for Subdivision has been improved significantly since the August hearing, but still requires changes to strengthen compliance with city plans and regulations and make the standards clear and enforceable. Without further refinement of the standards, staff finds that future developments would need to be reviewed by the EPC rather than delegated to the DRB for approval.

### ***ANALYSIS OF SITE DEVELOPMENT PLAN FOR BUILDING PERMIT***

The version of the site plan dated 8/31/09 is analyzed in this staff report. An analysis of the previous version is on pages 12 – 14 of the August staff report.

#### ***Site Plan Layout / Configuration***

The layout has not changed, except that the west property line is now aligned with the retaining wall, rather than cutting through a row of parking spaces. The rectangular building is placed close to San Mateo. Its longer façade (178') contains the main public entrance and is oriented to the south. This makes it visible from northbound traffic on San Mateo and will also help it to relate to future developments on tracts B and C.

#### ***Walls/Fences***

The only walls on the tract are retaining walls. A retaining wall begins at the northeast corner of the site and runs along virtually the entire north boundary of the tract. The grade difference with the adjoining properties is significant along most of the boundary, but varies from approximately 2 to 10 ft. The design of the wall is concrete with a stucco finish where the site adjoins the car wash (tract D-1, Navajo Terminals Inc.) and changes to straight-face keystones along the freight terminal (tract E, Navajo Terminals Inc.). The color of the wall matches the building and, where needed, a black handrail is provided. A much shorter retaining wall averaging approximately 3' high is provided along the west boundary of the site, between two rows of parking spaces.

#### ***Vehicular Access, Circulation and Parking***

The applicant proposes 160 parking spaces on the Golden Corral parcel and 34 spaces to the west, which will be shared with a future development on tract C of the subdivision. The parking calculations could reflect an additional 5% reduction for the new bus shelter on San Mateo, but this is not required. Until Tract C is developed, the Golden Corral restaurant would use all the proposed parking, resulting in 194 spaces or 72% more than the minimum required by the Zoning Code taking into account the transit reduction.

The applicant provided a letter dated September 1, 2009 (see att.) to justify the proposed parking. The letter explains that the amount is needed based on Golden Corral's experience with its three other restaurants in Albuquerque and on data from the Institute of Transportation Engineers (ITE). Based on the figures provided by the applicant, staff calculated that the parking at the restaurant on NM 528, which includes shared parking, provides an excess of 69% over the minimum required by the Zoning Code; and the parking at the restaurant at Central/Eubank, which includes 20 gravel spaces for employees, provides 66% over the minimum. (Staff took into account a 10% transit reduction in calculating the minimum rather than the figure in the table.) Note that the amount requested in this case represents a slightly higher excess, but that the applicant reports problems at the Central/Eubank location due to a lack of parking. The parking for the restaurant on Coors cannot be evaluated because it is all shared and the parking requirements of the other uses on the site are not indicated.

The ITE has identified that typical parking demand for high turnover (sit-down) restaurants without bars is approximately 1 per 2 seats in suburban areas and 1 per 3 seats in urban areas. Either ratio is considerably higher than the 1 per 4 seats in the Zoning Code.

The applicant also discussed the proposed parking in relation to selected planning policies. (Note the following corrections to policy references in the letter: 1. refers to II.B.5.e; 3. refers to II.B.5.k.) Staff considers some of the arguments convincing, namely that: the proposal will facilitate development of an appropriate employment use on an infill site, without causing adverse effects of traffic and parking spill-over in the surrounding neighborhood; and the visual impact of the parking will be mitigated through landscaping and because the site slopes away from San Mateo. The number of employees (125, and more in future) stated in 5. seems exaggerated, since the restaurant at Central/Eubank of the same size employs 80-85 people. Perhaps, stating the number of employees in terms of Full Time Equivalent positions would be more accurate.

Staff recommends that the site development plan state that a shared parking agreement is required with the owner of tract C, per the subdivision design standards.

Any compact parking spaces should be called out on the site development plan and will need to be indicated on the pavement. The handicap and motorcycle parking is in compliance.

Staff believes there is slack in the site layout that it should be used to mitigate the visual and environmental impacts of the large parking field and to provide another pedestrian pathway. A redesign would also strengthen compliance with the design standards. It would not sacrifice any, or very few, parking spaces, because the majority of the parking spaces are larger in both width and length, 9.5' x 19', than the 8.5' x 18' required by the Zoning Code. Also, two of the bump-outs along the north row of parking do not appear to serve any purpose, since they contain no plants, and the diamond-shaped islands with lightpoles also contain no plants. The redesign could include:

- a walkway shaded with trees between the second and third row of parking from the north boundary of the tract, and connected to the building;
- a larger end island at the intersection of the access drives that would accommodate more landscaping;
- and a landscape buffer along the retaining wall along the west boundary of the tract.

The redesign should ensure that all trees in the parking area have sufficient root volume to thrive. The City Forester has previously informed EPC planning staff that 6' x 6' planters in parking areas are only adequate for selected species of shade trees if they receive sufficient water, including runoff through pervious paving around the planter or curb-cuts that supplement irrigation.

#### ***Pedestrian and Bicycle Access and Circulation, Transit Access***

Pedestrian circulation within the site is adequate with the exception of the walkway mentioned in the previous paragraph of the staff report. The proposed walkway along the southern row of parking lacks sufficient shade trees, per 14-16-3-1 (H)(1).



### ***Lighting and Security***

The area and building-mounted light fixtures should be specified as full cut-off or fully shielded (on sheet 1 and the elevations). Staff believes that three lightpoles in front of the building are more than necessary, and recommends that they be reduced to two, by eliminating the one adjacent to the free-standing sign.

### ***Landscaping***

The landscape palette contains medium and low water use species, including several natives to the Southwest. The coverage figures for the Spanish Broom and Russian Sage should correspond to their height and spread.

In the landscaping calculations, the total lot area should be limited to the area of tract A and, as a result, the total landscape provided should end up representing a larger percentage of the net lot area since it includes landscaping in the ROW and on tracts B and C. For clarity, the square footage of the landscaping in the southern part of the ROW and on tract B should be separated out.

Trees need to be planted at least 10 ft from the water line located in the ROW, per the subdivision design standards. This appears to affect six trees along San Mateo: four next to the building and two between the site drives.

Sheet L-2 is missing the western edge of the area to be landscaped. The proposed "netafim" spiral irrigation system is only suitable in larger landscaped beds since it has a 9' radius. 3 bubblers per tree are recommended in smaller beds, based on advice from the City Forester on other projects.

### ***Public Outdoor Space/Employee Gathering Area***

The three benches on either side of the front entrance and in the landscaped parking island are 5' long, but, since they are separate, they provide one less seat than required by the Zoning Code.

The outdoor gathering space for employees is located at the rear (north) of the building between the compactor and grease interceptor. Environmental Health has informed staff that the compactor will generate unpleasant odors, but not the grease interceptor, which is sealed. The space does not meet the standards in 14-16-3-18 (D)(3) in terms of area, since a clear walkway along the rear of the building should be maintained, or in terms of seating and shade. If a 4' path is maintained, the area in this location would be around 200 sf, 2/3 of the required 300 sf. Staff recommends finding a more pleasant location and creating a larger gathering space for employees.

### ***Grading, Drainage, Utility Plans***

The grading and drainage plan provides details about the existing and proposed elevations. Note 4 states that the site will be raised closer to street level and slope westerly. Finished floor elevation for the restaurant will be 5,017 ft, which staff estimates is approximately 7 ft higher than the existing grade. Arrows indicate the general direction of stormwater flows, a portion of

which will enter landscaped beds to supplement irrigation. The landscaped beds away from the building will be depressed. This complies with a subdivision design standard rather than a city regulation, which should be corrected in the label.

The utility plan should indicate a proposed 20' easement for the 12" waterline in the San Mateo ROW.

### ***Architecture***

The design is the same, but the information is more complete than in the version analyzed in the August staff report.

The dimensions called out on the elevations do not match the scale of 1/8". The height of the square element at the northwest corner of the building needs to be called out and, on the south elevation, the color of the awning over the window on San Mateo Blvd. (at the right hand side of the elevation) should be colored white not yellow.

The elevations sheet should include notes that screening of mechanical equipment and lighting and signage will comply with the subdivision design standards and zoning regulations, whichever are more restrictive.

Staff recommends that awnings be provided to shade the windows, particularly on the south and west façades. Note that they were provided on the Golden Corral restaurant in North Highlands, CA (see p. 10 of the applicant's presentation at the August hearing, att.).

### ***Signage***

The location of a new free-standing sign at the northern driveway is shown on the site development plan. The existing free-standing sign at the southeast corner of Tract B should be labelled "to be removed", per the SDP for subdivision. The sign is detailed on the elevations sheet, which shows that it is a pole sign that could be used for two other businesses on the site. The restaurant proposes to use a little over half the total sign face area allowed by the design standards (80 sf out of 150 sf). Staff considers that separate signs on a pole are not very attractive, and recommends that the design be changed to a monument sign that will be compatible with the architecture of the building.

A yellow LED, i.e. illuminated, strip runs along the eaves of the tower features and, horizontally, around the entire east and south façades of the building (see 7D on the elevations and photos in applicant's presentation from the August hearing, att.). Zoning Services has informed staff that the LED strips are decorative features, not signs, and that they need to comply with area lighting regulations, but should not enter into the calculations for sign face area of wall signs. Staff considers that the extent of the strips should be eliminated or reduced significantly, particularly along the south façade, where a strip accentuates what is already a long, low façade.

Calculations should be provided for the percentage of the sign face areas relative to the façade area, to demonstrate their compliance with the subdivision design standards. Per the definition in the Zoning Code, separate faces of a building that are oriented in the same direction or within 45° of one another are considered as part of a single façade. If the three lines of text are considered

as one sign face area of 120 sf, staff calculated that the sign face area represents approximately 4.5% of the east façade, and approximately 3% of the south facade.

In conclusion, staff finds that the project complies with most of the subdivision design standards and meets the intent of most applicable planning policies. Where it does not, staff is recommending conditions to remedy the deficiencies.

### ***CONCERNS OF REVIEWING AGENCIES***

The revised plan was not reviewed by any departments or agencies, but staff obtained advice from Zoning Services, the Water Utility Authority and the Environment Health Department on specific issues, which are reflected in staff's analysis.

### ***NEIGHBORHOOD/PUBLIC CONCERNS***

No comments were received before or since the August EPC hearing. There is no known opposition to the dual request.

### ***CONCLUSIONS***

The dual request furthers a preponderance of applicable goals and policies of the Comprehensive Plan. The SDP for subdivision facilitates redevelopment of an infill site for diversified economic activity, where it complements residential areas without negatively impacting them. The site has good access by car and transit, and is within walking distance of complementary land uses, including other types of retail, services, an amusement park and apartment complexes. The proposed design standards cover all the necessary elements of development, but need further clarification to provide an adequate framework for future development on the site.

The SDP for building permit for a restaurant on tract A generally complies with the subdivision standards. The applicant has adequately justified the proposed parking. The subdivision design standards also compensate for the amount of parking on tract A by prohibiting uses with similar peak parking demand on tracts B and C, and by requiring shared parking agreement with the owner(s) of these tracts.

Staff recommends approval of both requests, subject to conditions.

***FINDINGS - 09EPC-40042, September 17, 2009, Site Development Plan for Subdivision***

1. The request is a site development plan for subdivision for an unplatted site of 6.2 acres zoned C-3 (SC) located on San Mateo Blvd. between McLeod Rd. and Lincoln Rd., described as "a tract in the E1/2 SE1/4 NE1/4 Sec. 35 T11N R3E". The applicant proposes to split the site into three lots and sell them to other parties: Tract A has 2.54 acres, Tract B 1.30 acres, and Tract C 2.36 acres. The proposal includes design standards. The site will be developed in two or three phases.
2. The request is accompanied by a site development plan for building permit for a sit-down restaurant on Tract A (09EPC-40043). Potential uses on Tracts B and C are a restaurant with a drive-up service window and an office/warehouse, but any uses allowed in the C-3 (SC) zone may be proposed in future. The applicant is requesting delegation of future site development plans for building permit for Tracts B and C to the DRB.
3. The applicant submitted a Traffic Impact Study (TIS), dated July 1, 2009, which has been verified by Transportation Development Services, and a Certificate of No Effect as required by the Archeological Ordinance.
4. The subject site is in the Established Urban Area of the Comprehensive Plan and on a designated Enhanced Transit Corridor.
5. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The request furthers, or is consistent, with the following applicable goals and policies of the Comprehensive Plan:
  - a. The proposed and potential employment and service uses complement residential areas and are sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments (Policy I.B.5.i)
  - b. The project is adjacent to an arterial and follows recommendations in the TIS that will minimize harmful effects of traffic (Policy II.B.5.k)
  - c. The request facilitates the redevelopment of a sizable vacant property in an established commercial area (Policy II.B.5.o)

- d. The subdivision standards require measures to control erosion and dust on Tracts B and C, until such time as they are developed. (Policy II.C.8.d)
  - e. The commercial subdivision is accessible by different modes of travel, including walking and transit (Transportation and Transit Goal).
  - f. The spacing frequency of driveways on a principal arterial complies with Policy II.D.4.d.
  - g. The subdivision design standards require safe and pleasant pedestrian travel through parking areas (Policy II.D.4.g).
  - h. By splitting a site zoned for heavy commercial uses into three tracts, the SDP for subdivision allows for more diversified economic activity (Economic Development Goal).
  - i. The subdivision design standards call for xeric and native plants, and rainwater harvesting measures to supplement irrigation. (Water Management Goal, Policy II.D.2.b).
  - j. The architectural design standards include energy management measures (Policy II.D.3.a).
7. The request partially furthers the following applicable goals and policies of the Comprehensive Plan:
- a. The subdivision design standards are comprehensive, but standards for pedestrian cross-access, architecture and signage need strengthening to ensure a cohesive development and a quality visual environment (Established Urban Area goal, Policies II.B.5.l, II.B.5.m)
  - b. The signage standards provide some guidance, but are not comprehensive enough to ensure that signage in the Enhanced Transit Corridor will be attractive and useful (Policy II.C.9.e)
  - c. The site development plan and design standards meet the intent of the applicable policy objectives for Street Design, Transit Service and Development Form adjacent to

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Enhanced Transit Corridors, with the exception of parking provision and building entrances from the street (Policy II.D.4.a)

8. Changes to the subdivision design standards are recommended to make them clearer and more fully compliant with City regulations and the intent of City planning policies.
9. The site may initially be split into two lots, i.e. Tract A for the restaurant development proposed in 09EPC-40034, and the remainder of the site. A future split of the remainder of the site into two lots, Tracts B and C, would be delegated to the DRB.
10. Property-owners within 100', the District 4 Coalition of Neighborhood Associations (NAs) and the Del Norte NA were notified of the proposal. No comments have been received and there is no known opposition to the request.

***RECOMMENDATION - 09EPC-40042, September 17, 2009***

**APPROVAL of 09EPC-40042, a Site Development Plan for Subdivision, for a tract in the E1/2 SE1/4 NE1/4 Sec. 35 T11N R3E, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 09EPC-40042, September 17, 2009, Site Development Plan for Subdivision***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT

Conditions of approval for the proposed Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
  - c. Provide appropriate cross-access agreements for Tracts A, B and C.
  - d. Concurrent platting action required at DRB.
  - e. Site plan shall comply and be designed per DPM Standards.
4. Applicant must request a Water & Sanitary Sewer Availability Statement prior to submittal to the DRB for Site Plan sign off.
5. Sheet 1:
- a. Project Note 5: Reword last sentence "FAR shall be up to 0.5, the minimum target for Enhanced Transit Corridors."
  - b. Project Note 7: At end, insert "and general zoning regulations, whichever are more restrictive".
  - c. Update the base map for the development on tract A per the accompanying site development plan for building permit.
6. Throughout the design standards, the term "site" shall refer to the 6.2 acre site and the term "parcel" or "tract" shall refer to lots created by the subdivision. Typographical errors shall be corrected. Standards shall be renumbered pursuant to any changes required in other conditions of approval.
7. Zoning and Land Use: the number of drive-up service windows on the site shall be limited to one.
8. Setbacks and building heights: the title shall include "FAR" and the text shall include the minimum target of 0.5 on sites adjacent to Enhanced Transit Corridors.
9. Site Objectives:
- a. The title shall be changed to "Site Design Standards".
  - b. The last sentence in the introduction shall be deleted.

- c. 1-A - Replace "sites" with "development". Correct the zoning reference (article 14 not 12).
- d. 1-B - Shall apply to service functions as well as drive-up service window(s).
- e. 1-D - Delete the last phrase.
- f. 1-E - Fill in missing words and reword for clarity.

**10. Parking and circulation standards**

- a. Delete the last sentence in the introduction.
- b. 2-A – Replace “minimum required” with “provided”. Delete the second sentence. Add a new sentence: “Total parking on the site shall not exceed the minimum required parking plus 10%, if the site development plan for building permit for the restaurant on tract A is not approved (1007867, 09EPC-40043).
- c. 2-B - Replace “desirable and encouraged” with “required”.
- d. 2-C - In the first sentence, replace “allowed” with “encouraged, and is required if tract A is developed as a Golden Corral restaurant per 09EPC-40043”. In the second sentence, replace “and provided...services” with “, approved by Code Enforcement prior to DRB sign-off”.

**11. Pedestrian circulation and bicycle standards**

- a. The introduction shall clarify that pedestrian cross-access is required.
- b. In 3-A and 3-D, insert "internal" before "streets".
- c. 3-G shall refer to pedestrian features, not just sidewalks, in the general building and site design regulations of the Zoning Code, i.e. 14-16-3-18 (C) (1 – 3). Delete the phrase “to the extent feasible ... site conditions” and all the bullet points.

**12. Landscaping standards**

- a. Introduction – Insert "and xeric plants" after “Water harvesting techniques”.
- b. 4-A - Buffers shall also be located around the perimeter of the site. Delete the second sentence. In the third sentence, “over” shall be replaced with “within 10 ft of public...”
- c. 4-C shall begin with "Street and...".
- d. Delete 4-F and 4-G.
- e. 4-L - Use the full title of the ordinance, i.e. Water Conservation Landscaping and Water Waste Ordinance.



- f. Standard 4-M shall identify native seed mix as the preferred method to stabilize disturbed areas awaiting future development.

13. Architectural standards:

- a. Delete 5-A.
- b. 5-B shall be reworded to include the sentence "Building design shall comply at minimum with 14-16-3-18 (D) of the Zoning Code".
- c. In 5-H, "roofing, style and" shall be inserted after "building colors". Replace the first instance of "shades" with "hues".

14. Screening walls and fencing standards

- a. Insert a comma after "Screening" in the title of the section.
- b. Introduction - Delete the sentence beginning "Site orientation...". Reword the rest of the paragraph to improve clarity and eliminate duplication.
- c. 6-A - Insert "evergreen" before "plant materials".
- d. 6-G - Replace the text beginning "oriented away..." with "screened from public areas on the site by evergreen plant materials, walls or fences".

15. Signage standards:

- a. 8-B shall include "area lighting regulations".
- b. 8-C - Shall include the following bullet points:
  - i. "The location of multiple-tenant signage shall be limited to the free-standing sign."
  - ii. "The number of businesses advertised shall be limited to 3, or 6 if the sign includes an electronic (LED) display panel."
- c. 8-E shall include "Building-mounted signs shall be limited to canopy and wall signs. Canopy signs shall be limited to one per entrance, with a maximum sign face area of 4 sf each. Wall signs shall be limited to facades visible from San Mateo Blvd. or from public areas within the site." The maximum sign face area of wall signs shall be changed to 8% of facade area. Move 8-E after 8-C.
- d. 8-F - Pennants, ribbons, streamers and spinners shall also be prohibited.
- e. 8-K - Replace "encouraged" with "allowed".
- f. 8-L - The location of electronic (LED) display panels shall be limited to the free-standing sign and not exceed 33% of the total sign face area. Move 8-L after the standard on building-mounted signs.

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16. Mechanical Equipment Standards: In 9-B, replace "or" with "and".

17. Utility plan:

- a. Update the base map and correct the name of the restaurant development.
- b. Show the two existing public utility easements in tract B near the public ROW.

18. Grading & Drainage plan:

- a. Include spot elevations for the existing contours.
- b. The location of the outfall at the southwest corner of the shared parking area shall match the location shown on the grading & drainage plan for the development on tract A (09EPC-40043).

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***FINDINGS – 09EPC-40043, September 17, 2009, Site Development Plan for Building Permit***

1. The request is a site development plan for building permit for Tract A, a parcel of approximately 2.54 acres within an unplatted tract zoned C-3 (SC), located on San Mateo Blvd. between McLeod Rd. and Lincoln Rd.. The applicant is selling the parcel to a national restaurant chain, that proposes to develop a family-style restaurant of approximately 14,040 sf with seating for 500 people, which they will own and operate.
2. The request is accompanied by a site development plan for subdivision (09EPC-0042) with design standards.
3. The project is covered by a Traffic Impact Study (TIS) for the proposed subdivision, dated July 1, 2009, which has been verified by Transportation Development Services.
4. The subject site is in the Established Urban Area of the Comprehensive Plan and on a designated Enhanced Transit Corridor.
5. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The request furthers, or is consistent, with the following applicable goals and policies of the Comprehensive Plan:

- a. The proposal facilitates redevelopment of vacant premises that are contiguous to public infrastructure and accommodates sufficient parking within the site not to harm surrounding businesses (Policy II.B.5.e)
  - b. The proposed employment use complements residential areas and is sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments. The visual impact of the parking is reduced because the site slopes away from the street and is screened by landscaping. (Policy II.B.5.i)
  - c. The project is adjacent to an arterial and follows recommendations in the TIS that will minimize harmful effects of traffic (Policy II.B.5.k)
  - d. The request facilitates the redevelopment of part of a vacant property in an established commercial area (Policy II.B.5.o)
  - e. The proposed restaurant, an employment as well as a retail use, is accessible by different modes of travel, including walking and transit (Transportation and Transit Goal).
  - f. The spacing frequency of driveways on a principal arterial is appropriate, per Policy II.D.4.d.
  - g. The proposed restaurant is part of a national chain (an outside firm) which will own and operate the business (Policy II.D.6.b)
  - h. The plant palette includes several species native to the southwest and the landscape plan creates a pleasing visual environment along the street frontage (Policy II.C.8.d)
11. The proposal partially furthers the following applicable goals and policies of the Comprehensive Plan:
- a. Pedestrian connections are provided to the bus stop and to other tracts, a bus shelter is provided and the building is setback from the street for landscaping only. The parking exceeds the reduction encouraged on sites adjacent to Enhanced Transit Corridors, but the amount has been justified for this type of restaurant, based on parking demand at existing restaurants in the city operated by the same company and on parking generation

figures published by the Institute of Transportation Engineers, 3<sup>rd</sup> Edition. (Policy II.D.4.a)

- b. Pedestrian opportunities are integrated into the development, except that there is only one walkway through the main parking area and it is not sufficiently shaded to provide pleasant conditions for pedestrians (Policy II.D.4.g)
  - c. The development will provide employment opportunities in an accessible location and at different salary levels, though not in a wide range of skills (Policy II.D.6.a)
12. The request conflicts with Policy II.C.9.e because the design of the multi-tenant free-standing sign is not attractive, particularly for a site adjacent to an Enhanced Transit Corridor. Changes are recommended in conditions of approval.
13. Property-owners within 100', the District 4 Coalition of Neighborhood Associations (NAs) and the Del Norte NA were notified of the proposal. No comments have been received and there is no known opposition to the request.

***RECOMMENDATION - 09EPC-40043, September 17, 2009***

**APPROVAL of 09EPC-40043, a Site Development Plan for Building Permit, for Tract A part of a tract within the E1/2 SE1/4 NE1/4 Sec. 35 T11N R3E, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 09EPC-40043, September 17, 2009, Site Development Plan for Building Permit***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

3. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT

Conditions of approval for the proposed Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
  - c. Provide appropriate cross-access agreements for Tracts A, B and C.
  - d. Concurrent platting action required at DRB.
  - e. Site plan shall comply and be designed per DPM Standards.
4. Applicant must request a Water & Sanitary Sewer Availability Statement prior to submittal to the DRB for Site Plan sign off.
5. The trash compactor shall comply with the Solid Waste Management Ordinance.
6. Parking:
- a. A note shall state that a shared parking agreement is required with the owner of tract C, per the subdivision design standards.
  - b. The compact spaces shall be called out on the site plan.
  - c. The parking area shall be redesigned to:
    - i) reduce the size of standard parking spaces;
    - ii) add a second east-west walkway through the main parking field, designed to comply with 14-16-3-1 (H).
    - iii) enlarge the end island at the intersection of the access drives to accommodate a more direct walkway to the south and additional landscaping.
    - iv) add a landscape buffer along the retaining wall at the west boundary of tract A.
    - v) add shade trees along the sidewalk at the southern edge of the main parking area, to comply with 14-16-3-1 (H)(1).
7. Lighting:
- a. Note on sheet 1 and the elevations that the area and building-mounted light fixtures shall be full cut-off or fully shielded.

- b. Eliminate the lightpole next to the free-standing sign and relocate the lightpole west of it to the enlarged landscaped end island.

8. Landscape plan:

- a. The coverage figures for Spanish Broom and Russian Sage shall correspond to their height and spread.
- b. In the calculations, the total lot area shall be limited to the area of tract A. The square footage of the landscaped beds in the southern part of the ROW and on tract B shall be separate figures.
- c. Street trees shall be planted a minimum of 10 ft from the 12" water line in the public ROW and a minimum of 3 ft from the relocated gas line.
- d. Sheet L-2 shall include the entire area to be irrigated, including its western edge.
- e. In landscaped beds with a tree and a radius of less than 9', replace "netafim" spiral irrigation with 3 bubblers.

9. Public Outdoor Space/Employee Gathering Area:

- a. Provide benches with seating for a minimum of 7 persons.
- b. The gathering space for employees shall be a minimum of 300 sf, include seating and shade per zoning regulations, and be located at least 50' from the trash compactor.

10. Utilities:

- a. Include a proposed 20' easement for the 12" waterline in the San Mateo ROW.
- b. PNM: The developer shall contact PNM's New Service Delivery Department if modifications to the existing electric service are necessary. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements. The site plan utility sheet shall identify any existing and proposed public utility easements.

11. Architecture:

- a. The elevations shall be shown and dimensioned per the scale of 1/8"=1'.
- b. The height of the square element at the northwest corner of the building shall be called out.
- c. The awning over the window on San Mateo shall be colored white.
- d. Add a note stating that screening of mechanical equipment, and lighting and signage will comply with the subdivision design standards and zoning regulations, whichever are more restrictive.
- e. Awnings shall be added to the windows on the south and west façades of a material and color compatible with the architecture of the building.

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- f. Reduce the extent of the yellow LED strips on the lower façades of the building. The LED strip on the tower elements shall be limited to the façades that contain a wall sign.

12. Signage:

- a. Label the existing free-standing sign at the southeast corner of Tract B “to be removed”.
  - b. Change the free-standing sign to a monument sign, designed to be compatible with the architecture of the building.
  - c. Provide the percentage of façade area for each wall sign.
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***Carol Toffaleti***  
***Planner***

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***Attachments***

C-2 zone: on-premise signs (14-16-2-18)  
General building and site design regulations for non-residential uses (14-16-3-18)  
COA Zoning Code: Appendix J, Exhibit C, Shared parking calculations  
Definitions of building-mounted signs in 14-16-1-5